

# Braille Monitor

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DECEMBER, 1980

VOICE OF THE NATIONAL FEDERATION OF THE BLIND



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# THE BRAILLE MONITOR

PUBLICATION OF THE  
NATIONAL FEDERATION OF THE BLIND

DECEMBER 1980

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## THE BRAILLE MONITOR

PUBLISHED MONTHLY IN INKPRINT, BRAILLE, AND ON TALKING-BOOK DISCS BY  
THE NATIONAL FEDERATION OF THE BLIND

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\* \* \*

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\* \* \*

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## CONVENTION BULLETIN

By the time you get this issue of the *Monitor*, winter should be with us—so it is time to plan for next summer's NFB convention, and what a convention it will be! Many of you were at the 1978 convention in Baltimore. In 1981 we are going to Baltimore again. 1978 in Baltimore was a tremendous convention, but 1981 in Baltimore will be even better.

One of the things that made the 1978 convention so successful was the excellent hotel and meeting space. In 1981 we will have the same fine hotels and the same superb meeting hall and facilities. It should be our best yet. Here are the details:

The three hotels are: the Lord Baltimore, the Hilton, and the Holiday Inn. Rates are the same for all three hotels: \$16.00, singles; \$21.50, doubles and twins; \$26.50, three in a room; and \$31.50, four in a room. There will be no charge for children in the same room with their parents. All three hotels are first-rate, and the farthest is only one block from the Civic Center, where we will be meeting. Two of the hotels are joined to the Center by the walkways over the streets. We will be in the Civic Center complex—with shops, theaters, and plenty of parking.

Please write for your reservations as soon as possible, but do *not* contact the hotels directly. We will be placing reservations and allocating rooms through our own housing bureau. If you contact the hotels directly, you will not be assured of getting rooms, nor will you be able to get convention rates.

Send requests for reservations to: Mrs. Sharon Omvig, 364 Marydell Road, Baltimore, Maryland 21229. Mrs. Omvig's telephone number is (301) 644-8151. Your requests for reservations should include the following: (1) your name and address; (2)

your date of arrival; (3) your date of departure; (4) what kind of room you want—a single, double, triple, or quad; (5) If you prefer a certain hotel, indicate this; but also put down your second and third choice. We cannot promise to put you in the hotel you request, but we will do our best, on a first come first serve basis. Therefore, those who write early should be assured of getting the hotel of their choice. (6) Include a check or money order for \$20, made payable to: "Convention Fund." Do *not* make checks payable to Mrs. Omvig or to any of the hotels. The \$20 deposit must be included in order for your reservation to be made. The \$20 (which is *not* refundable) will apply toward your room bill.

The first official activities of the convention begin on Sunday, July 5; but if this convention is like previous ones, many people will arrive two days earlier, on Friday, July 3. The convention will adjourn the following Friday, July 10. The special convention rates will be available during the entire time specified. However, unless you present proof of having registered at the convention, you will not be given the quoted convention rates charged by the hotel where you stay. In other words, if you do not register at the convention, you will pay at least triple the rates quoted. This bulletin serves as official notice of that fact.

An important part of our national convention is the door prizes. Chapters and affiliates should begin now to collect these. In the past we have informally put a minimum value of \$25 on prizes but many have been worth considerably more. If you wish to mail door prizes to Maryland before next summer, send them to Mr. Willie Thompson, President, National Federation

of the Blind of Maryland, 3435 Lynn Haven Drive, Baltimore, Maryland 21207.

Baltimore is on the Chesapeake Bay, and the Civic Center is a two-minute walk from the newly renovated Harbor Place located at the city's Inner Harbor. Harbor Place is one of the most fascinating collection of shops, restaurants, and other attractions in the nation. Among other things, there are two pavilions, one of which is called "Food Hall." It is a large open two story building, containing 50 or more restaurants, stalls, and vending places for foods of every kind. Have Italian waterice or go to the "Prime Potatoe." Eat "fried dough," or sink your teeth into a "whimsy." (What, you may ask, is a "whimsy?" We can't describe it. You will have to try it. It is absolutely unique—and it is delicious.) Have homemade ice cream, delicious seafood, or an astonishingly varied assortment of imported cheeses. Eat food from India, Mexico, China, Scandinavia, the Caribbean, or almost anywhere else.

Harbor Place is a must. The city arranges summer events at the Harbor—from fairs to ethnic festivals. At the Harbor is the Constellation, America's oldest naval vessel, which is open for tours.

Baltimore is one of our oldest cities, and there are restored historic streets and buildings to tour. Or you can visit Fort McHenry National Monument, where Francis Scott Key, after a 25-hour bombardment during the War of 1812, saw the flag still waving and was inspired to write the "Star-Spangled Banner." You will also be just 40 miles from Washington, D.C.

Of course, there is something else which lends excitement to coming to Baltimore in 1981. You can visit the National Center for the Blind, our own National Headquarters. Tours of the Center will be

arranged, and you will be able to inspect it thoroughly. It is an entire city block—and it is ours. It does not belong to some governmental or private agency. It belongs to us—to the blind.

As we continue to grow, we gain experience and continue to make changes and refinements in our convention procedures. The 1981 convention will be no exception. For one thing, more time will be allowed for discussion of resolutions and organizational business matters. We will probably set aside an entire day for this purpose.

There will be another change: In recent years more and more affiliates and groups have been selling raffle tickets and similar items at the conventions, and we have taken time during convention sessions or at the banquet for the drawings occasioned by these activities. A rising tide of complaint suggests that the policy must be altered. Accordingly, at the 1981 convention raffle tickets may not be sold in the registration area, and there will be no drawings during the convention sessions or at the banquet. The single exception to this rule will be that the national divisions may (if they request it) conduct such drawings during the convention or at the banquet. A place will be set aside at noon on Thursday during the convention for all other drawings. Any group or affiliate wishing to conduct drawings at this time (or any person wishing to know the winner of such drawings) may go to this designated area Thursday at noon.

Baltimore in 1981 promises to be our finest and most exciting convention yet. Maryland President Willie Thompson says: "We want all of you to come to Baltimore in 1981. We will do our best to make you welcome and to show you hospitality and friendship."

**COMMENTS FROM A BLIND MOBILITY INSTRUCTOR**

by JAMES D WALKER

*(Editor's Note: Jim Walker is a member of the staff of the Division of Rehabilitation Services for the Visually Impaired in the state of Nebraska. He is also a staunch and long-time member of the National Federation of the Blind.)*

I was one of the first blind cane travel teachers (if not the first) hired by a state agency for the blind, to teach the adult blind the skill of cane travel. For the record, I trained as a staff member in our Orientation and Adjustment Center from May 10, 1976, through August 7, 1976—a three-month training period which all staff members in the rehabilitation field undertake with this agency. As for my official teaching period, I began August 10, 1976, and taught until June 3, 1978. On June 6, 1978, I assumed the responsibilities of Rehabilitation Counselor in our Lincoln District Office, the position which I am currently active in.

I think it is significant at this point, before discussing methods and techniques, to mention an absolutely essential part of our program that is absent in many other states, a common sense philosophy towards blindness. It is also a basis for me, as a person who is blind, being hired to teach the blind cane travel—a common sense philosophy that blindness need not be a handicap and that what is handicapping is the attitude toward blindness. If it is felt that a blind person can not teach cane travel because he or she can not see the student, and is therefore unsafe, how can such a negative attitude be applied and at the same time teach blind persons to become equals and independent within our society. We contend such a notion is handicapping and that such a notion fosters the dependencies of the blind upon sighted persons in traveling independently. Quite frankly, in addition

to my skills, I was hired with the belief that I would also be a model for other blind persons to believe in. My experience in cane travel began in 1968, with residual vision, I fully recognized that in order to travel safely I must exercise a common sense practical technique with a long white cane. In addition, my camaraderie with a totally blind person, John Halverson, in traveling around for a variety of functions, pointed out to me that blind persons could travel independently. Using a common sense, two point touch technique, and believing in myself since that period of time has been much greater in education and training than could ever be generated by the superficial, self-aggrandizing science of peripatology, or orientation and mobility. The peripatologist or O and M specialist is laden with jargonized techniques, manifesting all the preconceived notions and assumptions about blindness that we know too well about.

Let me explain what I mean by the term "self-aggrandizing". Currently, the problems lie within the educational institutions which offer degrees in certification in specialized work for the blind. These institutions seek accreditation to enable funds, private and public, to be used for curriculums in this specialized field. Accreditation is usually based upon guidelines and/or regulations set forth by a body of experts, or alleged experts in the field. In this case, peripatology, the AAWB (American Association of Workers for the Blind) set forth the guidelines and regulations for

accreditation which the institutions follow religiously. To make the circle even more vicious and sometimes futile the institutions will not accept responsibility for these guidelines yet say that is the responsibility of AAWB. The AAWB is made up of individuals who have graduated from these various programs in orientation and mobility. Hence, universities are graduating and certifying individuals who join the AAWB and in return the AAWB imposes guidelines upon the universities—and around, and around, and around we go.

To reiterate my training, I would attribute my knowledge of cane travel to personal experience using a two-point technique, observation of an independent blind person and common sense and confidence in myself. Not that I am any special individual, but that I had never been exposed to any formalized training where my confidence could be defeated by individuals who said that I couldn't travel independently or that my travel skills would be limited by blindness. Rather, functioning on a day to day basis in academics, work, domestic affairs, recreation, etc. was my best teacher. I have always used, since I could remember, such techniques as sound with traffic patterns and knowing that one does not walk into traffic and that it makes more sense to walk with traffic. My training had not been cluttered with indoor techniques vs. outdoor techniques, a variety of self-protection techniques such as placing hands in front of the testicles, nor was I ever told that you have to count steps or go to this point before you can maneuver to that point—if a shortcut was necessary, a shortcut was taken. Upon arriving in Lincoln, Nebraska, to take on the position of cane travel instructor, a 3-month training period allowed for polishing up techniques which I had already been using for about 8 years. Organizing all the common sense approaches,

techniques, and subtleties of cane travel were done to provide for the teaching of such techniques.

For the 2-year period in which I taught cane travel the average load was 4 two hour classes each day, 5 days a week, teaching 2 students to 8 students per period. The usual load, however, was about 3 students per period, the larger load occurring when our other teaching position in cane travel had been vacated. Since students in the class varied in ability, experience and starting time in our center, a one to one approach was not used. Rather, because of the variety of skill, many students would merely need a route assignment, whereas others might require observation and/or instruction depending upon level of competency. We do not believe in the "one-on-one" approach since this tends to limit the actual experience with traveling independently and that such an approach fosters the notion that a sighted individual is, more or less, necessary for assistance.

Travel skills are taught with the intent of generalizing the skill, as opposed to memorizing techniques and routes. It is sometimes believed that congenitally blind persons are unable to conceptualize travel skills in terms of abstract reasoning and awareness of such things as blocks, space, etc. However, we contend this is not true. It is not the congenital blindness which limits the aforementioned conceptualizations, but it is the environment in which one is able to learn or is inhibited from learning. Generalized travel is a teaching approach which enables the individual to feel comfortable with dealing with common knowledge of cities of all sizes, blocks, sidewalks, dirt roads, open country, etc. It is not a good idea to teach one a limited area such as where they live. One may be able to memorize a route to the store from home, but could not travel independently if need

be in a strange town. Concepts of compass directions, use of sun, varying topographies, construction, and so forth, enables the individual to avoid the assumption of "all curbs are the same".

Technically speaking, our students use a long white cane, measured to their ability in speed and not only to the sternum or breast bone. We do not believe that a long white cane and the person using it create any nuisance at all in public. Rather, we believe in the ability of the blind person to maneuver oneself appropriately as well as being responsible for how the cane is used. We also take into account, that sighted individuals are also responsible for watching where they are going. This does not necessarily mean that they should look out for the white cane but, in common traffic be responsible for their movements as well. The two point touch technique is taught for both indoors and outdoors. Modifications of this technique are primarily that of a pencil-style grip on the handle or shaft of the cane when maneuvering up and down stairways or an extremely crowded area such as department stores. In addition, variations on these two techniques may be made by students as it works best for them. We do not use pre-cane travel techniques such as wall trailing or sliding of the feet. These latter two techniques only teach a student that they have to feel their way and walk slowly. We wish to teach the utmost of confidence and one's belief in oneself to maneuver the cane and believe in what they are doing. Students are sent on a variety of routes and varying indoor environments, outdoor environments including bus routes, construction sites, ill defined wooded areas, snow and ice, escalators, elevators, or whatever can possibly be found to give the student as broad a range as possible with traveling in life. Each student may have a variety of

"drops" during and at the end of his or her period as a student in our center. A "drop" means taking the student for a ride without his or her knowledge of where he/she may end up. The driver is instructed to drive and talk in such a manner so as to confuse the student as to where he/she is going. The student is then allowed one question and is to return to a designated point at a designated time.

As for the techniques of a blind travel teacher, use of the ears to listen and knowing what to listen for is one technique. A blind teacher can determine where a student's cane is tapping in relation to his or her feet by sound. Such sound techniques can also be utilized to determine a student's approximate relationship to traffic, buildings and so forth. A student is also aware of the fact that he or she is responsible for himself or herself. That if individuals are to go out in life and compete on an equal basis they must learn to be responsible as individuals who happen to be blind, not necessarily act according to the belief that they are blind persons and, therefore, unable to compete. For example, if a person walks out into traffic and is injured, that may well be (and often is) a matter of carelessness and a lack of common sense having nothing to do with blindness. If one walks into a construction hole it is because he/she is using improper techniques and not because he/she is blind. Touch is another technique whereby an instructor can check the hand-arm positions, head positions, general body posture and so forth of the student to determine what it is that may be the problem or how well the student is doing. Techniques all boil down to this—The blind travel teacher is one who is experienced in cane travel and knows what cane travel is about. Using common sense, touch and sound enables the travel teacher to understand what it is that is being done.

After all, blindness does not inhibit the mind from understanding.

Something should be said concerning diversity of cane travel routes and their relationship to the individual's life. First of all, I should point out that any student with any degree of residual vision must wear sleep shades or a "blindfold." The use of the sleep shades is imperative to maximize the alternative techniques of the blind person in developing confidence and competence. It is not that there is any devaluation of sight, but heightening the value of one's ability to understand his or her environment. This means that an individual will feel more confident in contacting a variety of objects with the cane and identifying them through common sense and knowledge. In addition, the other senses of hearing, smell, touch, etc. are also maximized. If the individual is allowed to see a curb, or see the movement of traffic, then the skill of contacting the curb with the cane, listening to traffic patterns, and deducing something about the traffic signal cannot be totally realized. Further, the person with residual vision such as a diabetic experiencing retinopathy, would not gain confidence or, for that matter, have confidence and competence in cane travel if allowed to use that partial vision, and later, due to hemorrhage, loses his or her sight. And, rehabilitation monies are wasted to train the same person a second time. The diversity of routes under sleep shades—construction sites, department stores, residential settings, address locations, and so forth—enables the individual to understand that he/she can function independently in a day to day routine. The new student starts out with much direct and personal instruction by the instructor, who withdraws personal accompaniment and direct observation as the

student progresses over weeks and months. The student learns to understand that he or she is responsible as a person and not irresponsible and guarded as a blind person. Throughout the chain of routes which increase in degree of difficulty, the student is encouraged to establish personal and common errands and appointments such as grocery shopping and doctors' examinations. Such common occurrences are scheduled during the two-hour cane travel period when possible. When excessive time may be required, the individual may then extend travel time and/or trade off other classes during daily training. The concept applied in the aforementioned instances is an application of meaningfulness to travel routes: That is, the student learns that independence is applied across the board in travel—to the doctor, to the grocery store, to the university, to the job interview, and so forth.

In conclusion, rather than belabor some of the points spelled out in the previous paragraphs, it can be said that cane travel is most meaningful when taught in a common sense approach and with meaningful application to the person's present and future independence. A sight requirement for the sake of safety is a self-aggrandizing approach perpetuated by those so-called "professionals" who consider the blind incapable of full independence. This is not to say that the only good travel teacher is a blind travel teacher. I have personally worked with three sighted cane travel teachers who were neither any better nor any worse than I. What is essential and imperative in developing independent travel skills for persons who are blind is a philosophy, a belief and a faith in the blind to achieve equal status on this earth. The blind have the right to fail as well as succeed.

**BARBARA PIERCE:  
FARTHER DOWN THE ROAD WITH GUIDEPOSTS**

Barbara Pierce's first exchange with *Guideposts* was printed in the April, 1980, issue of the *Monitor*. We herewith bring our readers the second round. Public education is a slow and difficult process, often fraught with hostility and resentment on the part of the group or individual being educated; but the results are cumulative—they are infinitely worthwhile. Even when there is not resentment, there is almost always the protestation: "You misunderstood what I was saying. That is not what I meant at all." Inevitably, however, the attitudes change, regardless of how slowly. Even stone is worn away by the water which falls upon it, drop by drop, day by day.

So it is with the work of the organized blind movement. Some resent us; some pretend we do not exist; some belittle us; and some try to ignore us altogether—but the final result is all the same. We have come too far to turn back, and as person after person in the general public comes to understand, our ranks are swelled by those who join us to hasten the process. Step by step (like water wearing away the stone) we are changing what it means to be blind:

March 13, 1980

To: Barbara Pierce

Dear Mrs. Pierce:

Please forgive my delay in replying to your eloquent and interesting letter of last month. You said you hoped several of us would read it, and several did, and that took a little time.

First let me say that I do understand your point of view and your concern that too many people still regard blindness as an insuperable handicap, which clearly it is not.

But I really don't feel that this attitude is so discernible in the article we published. The main thrust of the article was the woman's intense desire to see the faces of her children, and finally she did. Up to that point she evidently was functioning very well as a mother and homemaker without the faculty of sight. Are you saying that when her vision was restored it was not a *plus*? Surely it was!

It is your conviction, indeed your job, to spread the word that blindness need not be a diminishment, and I heartily agree that this is so mentally, spiritually and in most areas of living. But physically it seems to me that it is, just as is deafness or the loss of a limb. And I would think further that it is the acceptance and transcendence of this limitation that often give the blind person the luminous qualities of courage and hope that show through so clearly in your letter.

Thanks again for writing Mrs. Pierce. I would like very much to keep in touch with you.

Sincerely,  
Arthur Gordon  
Editorial Director  
*Guideposts*  
New York, New York

Oberlin, Ohio

April 3, 1980

Dear Mr. Gordon:

I have postponed writing to you for several weeks while I tried to locate a copy of the issue of *Guideposts* in which the story, "The woman who dared not cry," appeared. I had thrown my copy away, and my Talking Book Library arranged to send me one. I have just sat down to re-read the

story and discovered that they sent me the wrong issue. Since this letter is overdue, I will tackle it anyway.

I have thought about your letter, and I think that your third paragraph embodies the philosophy against which I was protesting. You say that blindness does not constitute a diminishment in most ways but that it surely does physically. I would say that it depends on how you understand the word "diminishment." If you mean merely the lack of one sense, vision, of course you are right. But the perception of that lack means very different things to different people.

A tone deaf woman walks through life for the most part content with her deprivation. She may now and again be annoyed by the racket that others listen to with rapture, but she does not suffer with her loss. The color blind man learns to manage quite competently without color. Bach might panic at the idea of living without music, and Van Gogh despair at a world devoid of color, but the individuals whose lot it is to do the one or the other have adapted easily.

You will probably respond that this adaptation is relatively easy for one who has never known pitch or color, or for a deprivation less profound than blindness or deafness or the loss of a limb. To that I respond in the spirit with which I began this correspondence. It all depends on what the individual brings to his attempt to adjust to the disability, and that is where your magazine enters the picture. Beethoven did in fact lose his hearing. He could have spent his remaining years remembering all the music he could no longer hear and pining for what could not be. Instead he learned to hear his music with his spiritual ears and then shared it with the rest of humanity.

This is the transition which the author of the piece in *Guideposts* never made. She continued to ache to see her children. She considered that she had not walked inde-

pendently for years. The language in her piece at the point when the doctor tells her to walk down the hall is highly significant. She says something to the effect that she had not walked a step for years without hanging onto someone or clinging to her dog guide's harness. The verbs here tell the story. She did not feel herself to be independent. She did not think that she could fully know and appreciate her children without seeing them. As I said before, this is fact, and I do not argue with the facts. I merely point out that these particular facts are not helpful to your sighted readership, because they reinforce the most pessimistic view of blindness, and they do not reflect the experience of well adjusted blind people. In passing I may say that the piece, "Isn't it a beautiful day," in the April issue is both inspirational to the sighted and reflective of the best in human nature.

I hope that you do not think that I am nitpicking with my close attention to innuendo and choice of verbs. The blind have learned by long and hard experience that nuance and innuendo are significant indicators of people's beliefs. The National Federation of the Blind is out to change what people believe to be true and limiting about blindness because only then will we be given a chance to prove what our God-given abilities are. All of us in the Federation are volunteers dedicated to educating the public to the fact that we are normal people who cannot see. Our lives can be full and meaningful until and unless we or others diminish what we are and have.

I have enjoyed crossing wits with you. Thank you for reading and considering my ideas so carefully. I look forward to the next issue of *Guideposts* as I do every month.

Yours in Christ,  
Barbara Pierce

## OF LOGIC AND PROFESSORS AND BLINDNESS: REPORT FROM NEBRASKA

Kathy Nusser is a Federationist. She is also a sensitive and intelligent human being. Her recent experience with a college professor (ironically a would-be teacher of logic) exemplifies almost every misconception and prejudice which the blind have faced through the centuries. Above all, the conduct of the professor is a study in lack of understanding, lack of ability to learn when faced with new situations, and lack of ability to make decisions based on reason instead of preconception—in other words, lack of the ability to understand the "principles of logic."

The fact that the setting was a college classroom (the essence of respectability and the presumed focus of enlightened thought) makes the situation even worse. It underscores the need and the compelling reason for the National Federation of the Blind, and for active participation in it by each of us. It shows how far we still have to go, but it also shows how far we have come; for twenty years ago Kathy Nusser would not have been in that classroom at all—and even if she had, it is most unlikely that she would have written and acted as she did. The climate was different; the sensitivities were less; and the expectations were lower.

How did it all happen? Why have two or three decades brought such revolutionary changes? Most of it can be attributed to the actions and existence of the National Federation of the Blind—and the whole story (the agony, the hope, the struggle of the blind to be free, self-respecting human beings) is set forth in microcosm in the words of Kathy Nusser. In her pain we all have hurt; in her spirit we all have triumphed. Until Kathy Nusser can take her college class without harassment, not one of us is free. Until she can walk the college campus in

dignity and peace, not one of us is truly safe or totally fulfilled. She fights for all of us, and each of us walks with her to the classroom door and suffers the humiliation of the undeserved "incomplete."

Here is how it was:

Lincoln, NE

September 30, 1980

Dear Dr. Jernigan:

I am enclosing a copy of a letter that was sent to a professor of one of my college courses. I thought that you would be interested in it because it reaffirms in my mind the reasons for the National Federation of the Blind. This is just another example of the public's view of the blind.

You need not answer this letter, I would like you just to read it.

Sincerely,  
Cathlene Nusser

Mr. Charles Sayward  
University of Nebraska at Lincoln  
August 15, 1980

Dear Mr. Sayward:

As you know, I applied for an incomplete in your section of Philosophy 110 (Logic), on August 4th, 1980. Numbered among my reasons for taking this action are the following:

At the end of class on the first day (July 14, 1980), you asked me a series of questions concerning how I would be able to function as a blind student. I have been questioned by other instructors in the past, and I have come to expect these questions as a normal part of becoming accustomed to a new instructor and/or course. However, even during this first meeting, I had a fore-

shadowing about your inherent attitude towards blindness.

At the end of this meeting, you told me that you considered it impossible for a blind person to comprehend Logic, since so much of it was visual. Eager to gain as much as I could from your course, I went to a great deal of trouble to explain how I, as a student who happened to be blind, planned to function in your class. I described, for example, the procedures and apparatus that I would be using. At the end of our discussion, I felt as though you were not fully comprehending how efficient these techniques really were. Still, I hoped that after a few days of observing (watching me participate fully in your class), some of my words would take on a more tangible meaning.

So I worked hard, and achieved a perfect score on the first quiz. I am sure that I am neither the first nor the last student to perform in this fashion. But when you returned the tests, you singled me out in a manner that was both condescending and embarrassing. On several occasions, you spoke of my achievements as though it was particularly amazing for me, as a blind person, to be doing so well. You made mention of my superior intelligence, thereby implying that a blind person needs extra intellect to compete on an equal basis with a sighted student.

It was clear to me that, in spite of your praise, you viewed me through a maze of stereotypes. On several occasions, I dropped something during your lecture. At these times, you would instantly stop talking to rush over and help me recover the dropped object. This kind of solicitude was not shown to any other student, even though things were often being dropped by others. It quickly became obvious that you did not even consider me capable of picking up after myself.

Then came the second quiz. As you may recall, you administered this one yourself. After each answer was given, you informed me as to whether that answer was right or wrong, thereby denying me the opportunity of reviewing my answers before submitting them for correction. This review method is commonly used by students to insure that the answer which is given reflects their knowledge as favorably as possible.

In later quizzes, the situation did not improve; in fact, it worsened. In the fourth quiz, which you partially administered, there were several questions which I wished to consider carefully. Whenever I would hesitate before answering, you would push me on to the next question. This is not reasonable. Each student was typically allowed an hour and a half in which to complete the quiz. The manner in which a student chooses to divide up this time is, and should be, a personal choice.

As you know, I did not do well on the fourth quiz. Therefore, I came to your office—as would any other student—in hopes that you would help me gain understanding in several key concepts. To my disappointment, you reaffirmed your opinions of the first day of class. You told me that my real difficulty was my blindness. You mentioned that this portion of Logic was primarily related to written symbols; therefore, you felt as though I could not possibly gain a complete understanding of these concepts. I pointed out that I had successfully completed Algebra, Trigonometry, Geometry, and Calculus and have earned grades of A's and B's in all of these subjects. Clearly, symbolic representations of concepts was not new to me. Your actions expressed anything but understanding. You proceeded to lend merely token assistance by going through a series of problems and simply telling me the correct answer of those I did not understand. This

type of assistance can be as easily obtained through a textbook. This is *not* the kind of assistance one expects from one's instructor.

When I prepared to leave, you reaffirmed your stereotypic attitudes toward blindness by asking me how I got to class. When I explained, you responded in terms of disbelief and amazement. Your attitude was summed up clearly when you asked if I could manage to walk down stairs. Throughout the course, your feelings toward me, as a blind person, were made clear. It was your practice to distribute handouts by giving a small stack to the first person in each row; this person would then pass them back. Even though I *always* sat in the first seat of my row, you would hand me only one copy, while handing the student second in my row the ones to be passed back. You always made a point of asking if my reader could go over the handout with me—a responsibility which should have been left up to me. When a reader administered the quizzes, you would discuss the procedure to be followed with the *reader*, not with me. You treated my reader as my custodian, rather than as my employee. You would frequently ask my reader if she would bring completed quizzes to your office, implying that my *reader*, not I, was responsible for handing in my assignments. In numerous small ways, you segregated me, and made me feel inferior.

Finally, in frustration, I sought advice from Dr. Hurlbutt, Chairman of the Philosophy Department. I described the situation and received an encouraging response. He told me that he would speak to you in order to help resolve the situation.

Later that afternoon, you telephoned me. You described a number of procedural changes which might improve our working relationship. Unfortunately, you did not seem to understand that simply changing

our working structure was not enough. I was seeking some understanding and acknowledgement from you of my capabilities as a student. At one point in the conversation, you denied having ever said that a blind person could not understand Logic because of its symbols. Later, you amended this by saying that you were very sorry that I had taken your statement this way. How else was I to take it?

It was clear to me that you thoroughly misunderstood my position. You indicated that by singling me out for praise, you had meant only encouragement. This kind of vacuous encouragement is the type one would give to a small child, not the type of professional adult treatment a college student typically expects or deserves.

Dr. Kenneth Jernigan, President of the National Federation of the Blind, tells the story of a man who had a talking dog. This dog could only say one word, and that word was "chocolate." The man took the dog all around the world, and crowds came and paid admission to hear the dog say "chocolate." Why was this dog remarkable? Certainly it is not that saying "chocolate" is remarkable, but rather that we do not normally expect a *dog* to be able to talk. This is similar to society's view of the blind. Walking up and down stairs, preparing a meal, or even competing in a college course are not, in and of themselves, remarkable. When amazement is expressed at a person's doing these ordinary things in an ordinary way, the blind person is being viewed as the dog who says "chocolate."

I have not asked for special consideration in any way. I took full responsibility for meeting those needs which are particular to me and to other blind persons. Your insistence upon singling me out and denying my capabilities has imposed emo-

tional, financial, and educational hardships on me.

When it became clear that we could no longer work effectively together, I applied for an incomplete. The tuition for your class was twenty-four dollars per credit hour, which means I incurred a loss of seventy-two dollars which cannot be recovered. My readers fees exceeded sixty dollars. This, too, cannot be recovered. Also, there is the cost of books. I am hoping that I will be able to offset this cost by enrolling in another section of this course which uses the same materials.

Finally, there is the problem of lost credits. Even though I will be able to make up this incomplete later, I will not be able to recover the lost time. If I had known how deep seated your attitudes toward blindness were, I might have taken another course.

In summary, I must tell you that I profoundly resent your unfair and unprofessional treatment of me. From the start, I hoped that you would be able to treat me in

an objective manner, and thereby gain some understanding of blindness which could be beneficial. The financial and educational hardships you have caused will not linger as long, or hurt as badly, as will your inability to view me as an individual. Instead, you chose to treat me as a member of a class which draws its definition from the misconceptions and inflexibility of myth and tradition.

For your consideration, I am enclosing a speech entitled, "Blindness: Is Literature Against Us," by Dr. Kenneth Jernigan. I sincerely hope that this material will make clear many of the ideas I have been attempting to convey. Perhaps there will be a day when the blind are neither considered inferior nor extraordinary, but simply as a wide range of individuals with individual interests and talents who are pursuing their educational and professional dreams in precisely the same way as do the sighted.

Sincerely,  
Cathlene Nusser

#### OF FOOD, CLOTHING, AND DOG GUIDES REPORT FROM OHIO

"Rising expectations"—that is what the National Federation of the Blind is all about: The courage to speak out, the spirit to hope, and the faith to believe that it is respectable to be blind. And not just on the part of a few special persons or leaders—but by rank-and-file members throughout the country as well: individual blind people who feel that they should no longer tolerate custodial treatment and second-class status.

That is what the following correspond-

ence points up and emphasizes. It speaks of the dynamics of the Federation—of the structure and the mechanism which bring about the exchange of ideas and information and which encourage each blind citizen to take an individual stand to resist prejudice and discrimination. Without the National Federation of the Blind it likely would not occur. With the Federation in existence, the precise time and place of such actions cannot be predicted, but their increasing occurrence is absolutely certain.

Warren, Ohio

August 28, 1980

Dear Mr. President:

Enclosed are two complaint letters written recently to protest the way some business managers have treated blind customers using guide dogs. For a long time I have tried to get the courage to do something besides permit myself to be embarrassed publicly because I have a guide dog. My friend and I have decided that we would try to inspire others in our area to do the same. I have been a Federationist for a few years, and she is now interested in joining.

Please send her some literature on record to get her started. Our community has no chapter at this time, but perhaps that will change soon. Thank you kindly for your co-operation.

Sincerely yours,  
April Reisinger

July 21, 1980

Mr. Karl L. Margolis, President  
Learner Store Corporation  
New York, N.Y.

Dear Mr. Margolis:

Please consider this letter as a concern for only one of your fine stores. I have shopped without incident at other Learner Stores in Ohio since I have been using a guide dog, and it is just this one manager who has given me cause for concern.

The store is located at the Eastwood Mall in Niles, Ohio. On July 14, 1980 I went with a friend to exchange a dress she had bought. It was a warm night, so I left the store for a few minutes while my friend shopped. When I returned to the store, the manager, Ms. Pat Sheribam, introduced herself and explained that dogs were prohibited in her store by store policy. Usually

when this sort of thing happens, I show an identification card from Pilot Dogs, Inc. in Columbus, Ohio. Our pictures, the dog's and mine, are on the front, and on the back is a statement about the dog being able to go with me into all public facilities that are subject to federal laws. After the first explanation, the subject is usually dropped and I am asked to shop without any further problems. She insisted that my dog shouldn't be there even after I explained to her about Dina's training. I told her that I would see my attorney the next day and she would be notified. We were both upset. Had the confrontation ended at this point, I would have considered the possibility that maybe she just didn't understand the laws and would check it out. I could send her a copy of the section of our State Revised Code and she probably would realize that it was an error. I went to my friends and told them what had happened. She heard us talking about it and came to talk with us again. "You understand my point," she said, "the dog could ruin the merchandise . . ." Sir, by this time, I felt that she was getting unreasonable, so I asked her if she would be willing to give up her glasses if I stopped using my dog. She said she didn't wear any glasses and I should bring somebody with me who could see to help me shop. I asked her about damages to merchandise comparing my dog with little children. Children, she said were with their parents and could be watched. If I were to carry a small dog, she said, I could bring it in because I could be more responsible for it. I marvel at that logic. I am inclined to think that a small dog could do more damage than my trained guide. This manager asked me if I took my dog into the restaurant with me. I explained that not only did I do that, but I take her to work daily without any problems. There was no need to carry things any further, so I told

her that I had no more time for this and left the store on my own. I phoned the Niles, Ohio Police department who advised the Mall Security to meet me in the store. When the security staff came, the manager said she was not aware that my dog is a guide dog. I had explained all of that three times by this time. The lady has done three things:

First, she caused an unnecessary inconvenience to me and my friends who were shopping.

Second, she took it upon herself to ask me to conform to her ideas of what a blind person should do for independent travel, and

Lastly, she has needlessly blemished the name of Learners stores by her actions.

Thank you very much for considering my letter. I know that appropriate action will be taken to avoid any further incidents.

Sincerely yours,  
April Reisinger  
Warren, Ohio

August 22, 1980  
Long John Silvers, Inc.  
Lexington, Kentucky

Dear Sirs:

Good food and good service are usually to be expected from your fine restaurants everywhere, however, I should like to report briefly on an inappropriate action taken by the manager of your Elm Road location in Warren, Ohio.

On August 13, 1980 my husband and I bought our lunch and answered the questions of the waitress who inquired about my seeing eye dog, explaining that she is very well trained. Later the manager inquired about the dog. He wondered if I could leave the dog in the car. Yes, he understood that she is a guide dog, but couldn't I have just taken my husband's elbow as he could show me to my seat? The

dog would only be in the car for a few minutes, he had said. His view was unchanged even though I explained the rights of persons using guide dogs. When I became upset about this whole affair, I explained that he would *not* leave his eyes elsewhere, nor would he permit himself to be taken from his wheelchair and be carried by someone for another person's convenience. He did not want to discuss the situation any further, but his views were still unchanged. He didn't ask me to leave with my dog at any time, but to try to deny me the right to use my dog caused considerable anxiety, embarrassment, and indigestion. Of course our lunch had been paid for and half eaten by the time this had happened. Had it been earlier, we would no doubt have eaten somewhere else. Where my dog is unwelcome, so am I. Could you enjoy patronizing any business establishment after being treated in such a manner?

Too often people are unchallenged when, in the name of charity and public concern, they strip blind persons—or persons with any handicap—of their independence, pride, and dignity. I do not intend to take a back seat and do nothing. There is no shame in using a guide dog or being blind, but there is a terrible injustice committed when people try to mold us into their idea of what blind persons should be. We do not generally want to be led around by friends and relatives when we can hold our heads high and walk proudly with our dogs or canes. Whether to use a guide dog or a white cane for us is as important and necessary to us as choosing contact lenses or eye glasses for sighted persons.

Thank you for doing what you can to solve the problem. Perhaps other guide dog users will be spared the inconvenience.

Sincerely yours,  
Mrs. Pam Bowden  
Warren, Ohio

### ETERNAL VIGILANCE: TO WATCH THE MEDIA

If we are ever going to complete our journey to first-class citizenship, we must change public attitudes. That is a commonplace—but what can the individual do about it? How can we make it happen?

The answer, of course, is complex—as complex as the problem. However, at least a part of the answer is symbolized by the following correspondence. It is one more evidence of the value and viability of the National Federation of the Blind, of our growing strength and awareness as a movement. Federationism is not just a matter of annual conventions or local chapter meetings—of once a month or once a week. It is a way of life. It is the translation into specifics of the overall philosophy of equal treatment and first-class citizenship. It is the ability to understand and the willingness to act. Above all, it is the practical application of eternal vigilance.

New York, New York  
August 4, 1980

Dear Mr. Jernigan:

Enclosed is a copy of a letter I wrote to the producer of P.M. Magazine which is aired on WNEW-TV, New York. Please consider it for inclusion in the *Braille Monitor*.

I will send you copies of any responses I may receive. I think it would be helpful for us to initiate a media watch similar to that of WAVAW (Women Against Violence Against Women), to keep more consistent track of how we are being portrayed.

Stay well and enjoy the rest of your summer.

Sincerely yours,  
Patricia Logan

Mr. Peter Restive, Producer  
P.M. Magazine  
New York, NY  
August 4, 1980

Dear Mr. Restive:

When I first heard about your new program, P.M. Magazine, I was looking forward to the new format which would provide me with information and entertainment on a wide variety of topics. However, your segment of July 31, on the legally blind woman regaining her sight dealt in such a negative and destructive fashion with a subject of vital importance to me that I felt it necessary not only to comment but to demand equal time to present the more responsible viewpoint of the National Federation of the Blind.

I am a thoughtful and politically active woman who has been blind since birth. I realize that aspects of the situation encountered by an adventitiously blind person are different and in some ways more challenging than my own circumstances. I congratulate the person in question on her reacquisition of those visual parts of her life which have been dear to her. However, I reject and condemn the inferences and remarks which suggested that her life without sight necessarily had to have been one of almost total dependence on loved ones; a life permeated with depression and dominated by thoughts of what had been lost, rather than by the wealth of experiences based on what had been retained.

I was shocked and saddened by her feeling that she was no longer, as a legally blind individual, able to "recognize" friends. I recognize my friends constantly as naturally and almost as instantaneously as anyone else. Unless she was also subject to

a hearing deficiency, which was not indicated in the dialogue, she could "recognize" friends as soon as they said, "Hello. How are you?" Very, very few people fail to speak to a friend almost immediately upon meeting. I am sorry to hear that this woman did not have the opportunity to learn about the alternative techniques which enable blind people to do almost everything, and indeed, everything essential, that sighted people can do.

But it is irresponsible journalism to give the public, and especially the many elderly, newly blinded members of our society, another reason to think of blindness in negative terms, when such a wealth of information is available about average as well as above average blind individuals living happy, productive lives. Many such individuals, members of the National Federation of the Blind, are fully integrated into sighted society, and at the same time have united with other blind people to help each other, to fight for legislation which

will make our acceptance as equal members of society mandatory, and to educate the public that we are no different from them except that our eyes don't happen to function. Most blind people do not regain sight. I demand that you present views which will help them to want to go on living, sharing and giving. I strongly urge that you seek advice and in-put toward this end from the National Federation of the Blind, the largest and most legitimate organization of blind people speaking for ourselves.

Thank you for your kind consideration of my views. I look forward to hearing from you with hope that you will aid us in our struggle for equality, opportunity and security.

Sincerely yours,  
Patricia Logan,  
Board Member  
National Federation of the Blind  
of New York State,  
New York City Chapter

## MORE ABOUT DOG GUIDES AND RESTAURANTS

By JAMES MOYNIHAN

June 19, 1980

Dear Dr. Jernigan:

I am writing concerning a case of discrimination in which Hogan and I were thrown out of a restaurant in Virginia. You can use this letter in any way that you think appropriate.

When I was living in Washington, D.C., one of my co-workers mentioned that she was taking a course on the psychology of the disabled and asked if she could interview me for her class. She said that she frequented an absolutely wonderful restaurant called Rene's Supper Club located in Fair-

fax, Virginia which was operated by a wonderful and charming individual named Rene Ibanez. My co-worker said that she had two friends who were interested in joining us.

I agreed to her suggestion thinking that I could impart some Federation philosophy, partake of good food, and meet new people.

We agreed to go to the club on Saturday, September 22nd, 1979. The whole thing seemed innocent and routine but Robert Burns must have had us in mind when he wrote of the best laid plans of mice and men.

The day before our meeting my co-worker went on one of her frequent visits to Rene's club. She thought that it might be helpful to mention that she wanted to bring a friend who would be accompanied by a guide dog and asked Rene if this would be a problem. Rene informed her that this idea was absolutely out of the question.

My co-worker called me the next day to inform me of these sad developments. However, she told me all was not lost. She had again taken the initiative by phoning another supper club and was told that there would be no problems.

What to do? I could avoid a possible confrontation by going to Nicky's Supper Club. Of course, the only real option was to go to Rene's Supper Club. There was an outside possibility that I could convince Rene that he was about to make a serious mistake. But if Rene held to his position, the challenge would have to be met. White cane laws become worthless if restaurant owners can flout them with impunity.

My co-worker and her friends agreed to accompany me with considerable reluctance. I told them that if they were interested in the psychology of the disabled our visit would give them a golden opportunity to see some psychology in a real life situation.

When we arrived the hostess was friendly, admired Hogan, and was about to usher us to a seat. This aura of peace and harmony was shattered by the arrival of the charming and wonderful Rene Ibanez. Ignoring me completely, Renee attacked my co-worker for bringing me after he had imperiously forbidden her to do so.

I interrupted by shaking hands with Rene, introducing myself and Hogan. I explained the white cane law to Rene which permits blind persons to be accompanied by their guide dogs in restaurants and other places of public accommodation. I was

then subjected to a stupefying performance which defied both logic and common sense.

Rene told me that he knew all about the law but said that I was being unreasonable and "overasserting my rights." My friends could escort me about the restaurant and I did not need to be accompanied by my guide dog. I soon found that Rene's generosity and magnanimity toward blind people was boundless. Rene was ready to designate one of his employees to take me to the bathroom or escort me around the restaurant.

He told me that he had done a benefit for handicapped people, that his grandmother was blind, and that he had three partially sighted employees. I was welcome in his restaurant but I would have to leave the dog outside in a heavy downpour. Rene later said that I could leave Hogan in the foyer. It apparently did not occur to this reasonable man that Hogan could run outside when the door was opened or might be stolen by a customer who liked labrador retrievers.

I remained patient and calm while trying to refute these inane arguments. In the midst of our discussion the reasonable Rene Ibanez walked away. I called him back and told him that he must clearly understand that he was violating the law. He told me that admitting Hogan would violate the health code and that his customers would be frightened and upset by the presence of a guide dog. I realized that further discussion would be fruitless, and we left the restaurant. We went to Nicky's Supper Club and had no problems.

Some interesting lessons were brought home to me by this affair. I was deeply hurt by the discrimination practiced by Rene Ibanez. I was equally hurt by the ambivalent wishy-washy attitudes of people who should have taken a stronger stand. My co-worker told me that she understood

my feelings but that she could also understand Rene's point of view. She and her friends were chiefly concerned that Rene would not react in a friendly way toward them in the future. This fear was not without foundation. The wonderful Rene proved to be so vindictive that he barred my co-worker from attending his club in the future.

My true friends turned out to be fellow members of the National Federation of the Blind. I contacted Mr. Paul Kay, a Washington, D.C. lawyer, who has experienced discrimination as a guide dog owner. Paul put me in touch with the law firm of Graham and James, which agreed to handle the case on a pro bono basis.

We filed a law suit against Rene's Supper Club. Rene maintained that he had not discriminated against me and decided to fight.

I also received valuable assistance from Mr. Charles Brown, President of the Virginia affiliate, who located the legal citations upon which the suit was based. Marc Maurer and John and Peg Halverson also gave helpful advice and encouragement during the lawsuit.

During the months of haggling which followed Mike Cavanaugh and Jane Woodward of Graham and James worked hard to reach an amicable settlement which would guarantee access to guide dog owners. Rene proved to be extremely stubborn and intractable.

Despite Rene's intransigence Mike tried to persuade a newspaper reporter from

publishing an article about the lawsuit in order to save Rene from embarrassment. The reporter maintained that if he did not publish the story someone else would and went ahead with his article. Rene finally realized that we would persist until the rights of the blind were guaranteed and finally agreed to a settlement.

In the settlement Rene apologized for the incident, and said that Hogan and I would be welcome in his restaurant and that I could be accompanied by Hogan at all times while in his restaurant. These provisions would also apply to other blind people with guide dogs. As a postscript my lawyers persuaded Rene to put all grudges behind him by admitting my co-worker to his restaurant. In essence, Rene agreed to treat blind people as he would any other customer.

The case of James Moynihan Vs. Rene Ibanez answers the question Why the National Federation of the Blind? The Federation has given me the strength and the courage not to flinch from a difficult situation, and to pursue my rights when discrimination occurs. The Federation has taught me that the rights we enjoy as blind people have resulted from hard struggle. Even after favorable legislation is passed, we must continue to fight to see that it is enforced.

Federationists clearly understood the issue and were willing to fight until our goals had been achieved.

James Moynihan

#### TO KEEP THE BLIND IN THEIR PLACES REPORT FROM GEORGIA

The preceding articles deal with the effort by the blind to change the attitudes of the general public. In a way the present article is different. It deals with the attempt

by an agency (supposedly established to serve the blind and help them gain independence and dignity) to keep us from achieving first-class status.

Looked at properly, of course, it is the same problem discussed in the other articles; for the so-called "professionals" heading up the Atlanta Area Services for the Blind are not especially enlightened or knowledgeable, regardless of what they or others may think. They are part of the general public. As part of that public, they have absorbed the standard prejudices and misconceptions which permeate society. They clearly believe that the blind who come to them for training or service are theirs to control and custodialize, and they resent what they would doubtless call the "impudence" of any blind person who presumes to behave as their equal.

Particularly, they resent the National Federation of the Blind and its local leaders, correctly perceiving the Federation to be a threat to all they represent. The local Federation President is not to come to their agency (an agency which raises money from the public and claims to exist only to benefit the blind) unless he has asked for prior permission. Moreover, the local President must be very respectful and must not serve as an advocate for any of their so-called "clients" unless very elaborate procedures are followed.

These self-styled "professionals" who run Atlanta Area Services for the Blind need not answer letters from leaders of the local blind community or in any way be accountable to them. No, it is the other way around. The leaders of the blind community must be accountable to the "professionals"—must be very *positive*, very respectful, very humble, very grateful.

Is it any wonder that there is conflict between the blind and such would-be custodians? How could it be otherwise! The statement that "Let's get together, for after all, we are all working to achieve the same goals" sounds almost plaintiff (almost like a plea) as it comes from the agency direc-

tor. For, of course, we are not all working for the same thing; nor is there any way for us to get together. Certainly the blind are not working to achieve the same goals as those contemplated by the Director of the Atlanta Area Services for the Blind.

That Director (as do others of her kind throughout the country) represents a philosophy which is bankrupt—a system which is dieing. We bear no ill will toward the old, but we cannot allow it to block our path to freedom. This is a new day and a new time. We have dreamed our dreams and charted our course to full participation in society, and no force on earth can keep us down or turn us back.

This is why we have organized. This is why we have sent our message throughout the land. This is why we have established the National Federation of the Blind. For those who can read and understand, it is all set forth (symbol and substance, body and spirit) in the following three letters:

September 10, 1979

Atlanta, Georgia

Dear Dr. Harbin:

Representatives of the National Federation of the Blind of Georgia, the largest and most viable organization of Blind Consumers in the state have attempted to express valid concerns and ask meaningful questions about the operations of the Atlanta Area Services for the Blind. However, our efforts have been largely ignored. As a result, we are now proffering our concerns in writing and would like to have answers to them.

First, we have serious reservation about the agency which provides Atlanta Area Services for the Blind's accreditation. The National Accreditation Council for Agencies Serving the Blind and Visually Impaired (NAC) has provided accreditation

for some of the most reactionary agencies in work for the blind. The Chicago Light House for the Blind and the Cincinnati Association for the Blind have engaged in strong anti-union activities, the latter which lost a union election has refused to negotiate with the union. The Cleveland Society for the Blind is presently in litigation for severely abusing the basic human rights of its vending stand operators.

In 1974, the Department of Health, Education and Welfare denied NAC's grant for operation because of its failure to adequately involve blind consumers. Only by a closed session and disregard of consumer complaints by the blind, did NAC retain its accrediting powers. The Council of Accreditation of Rehabilitation Facilities (CARF) would provide more viable accreditation for Atlanta Area Services for the Blind.

Secondly, Atlanta Area Services for the Blind has approximately 30 employees of which two are blind, Pamela Cannon and Scott McCall. There are one or two more blind persons who are placed within the agency by the Comprehensive Employment and Training Act (CETA). We would like to see Atlanta Area Services for the Blind take positive steps to fill future vacancies with qualified blind persons.

Thirdly, we would like to have an explanation of the dismissal or allowed resignation of the former director Dr. Robert Crouse and the missing funds. As part of that explanation, we would like to have a copy of the deposition sent to the National Federation of the Blind of Michigan by Atlanta Area Services for the Blind's Treasurer, Lee Staples.

Perhaps the most serious complaint which we have is the blatant invasion of privacy to which Atlanta Area Services for the Blind clients are subjected. For example, when one enters the agency as a client, he or she is asked all types of impertinent

personal questions about finances and family. Also, in each of the classrooms, there are large windows. These windows in themselves deny the client's right to privacy by putting him or her on display while he or she is receiving training. In fact, that arrangement creates the impression of animals in a zoo. We call for immediate cessation of such violations of client's rights.

Fourthly, we come to the composition of the Atlanta Area Services for the Blind board of directors. Out of approximately 30 members, only 6 are blind persons. These represent only themselves or their agencies. There are no consumer representatives on that board. It is inconceivable that representatives from the National Federation of the Blind of Georgia, the largest and most viable organization of blind consumers in the state are excluded. I understand that a number of false rumors have been circulated by the staff of Atlanta Area Services for the Blind and others that the National Federation of the Blind of Georgia is a militant group out to destroy Atlanta Area Services for the Blind and what it has built up in the last few years. We are a group of blind consumers who wish to have input in services which are provided to us.

Finally, we would like to have a meeting with you and a committee of your choice to discuss the issues which we have raised in this letter as soon as possible. Also, we ask that Atlanta Area Services for the Blind provide written answers to the inquiries which we have raised.

Your prompt attention to this matter will be greatly appreciated. We look forward to hearing from you. Thanking you in advance for your sincere cooperation.

Cordially yours,  
Tommie Johnson, President  
Atlanta Chapter  
National Federation of the Blind

Atlanta, Georgia

July 30, 1980

Dear Mr. Johnson:

You came to my office on Tuesday, July 29, without an appointment with me, to discuss complaints from some clients in the workshop of alleged mistreatment by supervisors.

Mr. Johnson, I am not entirely clear about NFB's purpose or philosophy in representing the interests of blind persons. I would like to believe that we have the same goal—*independence with dignity*. When, however, you come into our agency and remove clients from their classroom instruction and work adjustment training programs without conferring with the professional staff responsible for their rehabilitation, your efforts appear counter to our common purpose.

Clients have a stated, written process for appealing their concerns. I quote from their handbook: "If you feel aggrieved because of an action taken against you, attempt to work out the problem with the staff person involved or your social worker. If the situation remains unresolved, see the Coordinator of Social or Rehabilitation Services. If that individual is unable to resolve the problem through meetings with you and/or the staff person, the Executive Director will review the case and make final resolution."

I suggest that if any client of A.A.S.B. brings a concern to your attention, you ask that person if he has followed the appeal procedure. When this process has been exhausted, should you or any other advocate on a client's behalf wish to meet with me or other staff involved in rehabilitation, an interview may be requested. Please make an appointment with me in advance, stating your purpose and the clients involved. Should it be necessary to excuse clients

from class or work for any such meeting, I will arrange this with their supervisor.

Under *no* circumstances, Mr. Johnson, are you to come into this agency and call clients away from their training programs or enter their classrooms or working areas without my knowledge and prior arrangement.

With common agreement on this approach, we should be able to work together positively for sound rehabilitation toward independence for all blind persons served at A.A.S.B.

Sincerely,

Ms. Carolyn Kokenge

Executive Director

Atlanta Area Services for the Blind

Atlanta, Georgia

August 13, 1980

Atlanta Area Services for the Blind

Dear Ms. Kokenge:

We are in receipt of your letter dated July 30, 1980, and after having fully digested its contents we are convinced that a written response is necessary to register an explanation concerning our recent efforts in behalf of the clients that we represented.

First of all, when we came to your office on July 29, 1980, while we did not have an appointment with you, we did have one with Scott McCall, who absolutely refused to see us concerning a matter which we considered to be of a serious nature. Therefore, we cannot feel that we were in disregard of rules of ordinary procedure in insisting upon an audience with his immediate supervisor who happens to be you. We did not come to your office for the mere sake of imposing ourselves upon you and your time.

Secondly, we, The National Federation

of the Blind did not remove clients from their respective training areas but the clients were waiting patiently for us to meet with Scott McCall by which they may seek relief from their grievances. In your letter dated July 30, 1980, you stated the procedure that clients may go through in expressing complaints. All of the clients that we met with at Atlanta Area Services for the Blind had completely exhausted all the channels of communication including a meeting with you pertaining to their grievances. After your agency failed to act on the behalf of the clients, they came to us to seek a remedy for the injustice that you and your staff had inflicted upon them.

Ms. Kokenge, you can provide better service to the clients at Atlanta Area Services for the Blind by making available the grievance manual in braille, large print and on cassette so that the clients can be fully aware of the procedure in registering a complaint. May I also add that the clients have a right to register any complaint that they may have with the United States Office of Civil Rights which your agency's grievance manual fails to indicate.

How can you say you believe that our goal is the same when you continuously seek accreditation from the National Accreditation Council for Agencies Serving the Blind and Visually Handicapped (NAC) which does not have a decent record in the field of the blind. I am returning a copy of the letter that I wrote to Dr. Harbin dated September 10, 1979, which you and Dr. Harbin have failed to answer in response to legitimate concerns that we raised about (NAC) and your agency. I am also sending you a brochure entitled, "What is the National Federation of the Blind."

In closing, we came to express and articulate the demands and views of the clients that we represented. Your prompt attention to this matter will be greatly appreciated. We look forward to hearing from you.

Thanking you in advance for your sincere cooperation.

Cordially yours,  
Tommie Johnson, President  
Atlanta Chapter (NFB of Georgia)

## WHEN INPUT HAS NO OUTPUT

by HAL BLEAKLEY

Input—that term we got from the computer/space age—what is it? It is the sum total of all the information that is fed into a system and produces a result, an outcome, an output. Output without input is impossible. But input without output is a farce. Too often the input/output rules are suspended when it comes to blind persons, or other handicapped persons. It seems that we have the right to input but not the right to output. This is a strange way to run a railroad or an airline, but it appears that in

many places it is considered satisfactory for providing services.

As I write this I am one of about 150 passengers flying at more than 500 miles per hour, 37,000 feet above the ground, non-stop from Denver to Baltimore. The passengers bought their tickets in anticipation of traveling non-stop from their point of origin to their destination and they have the right to expect that the airline will deliver the service they paid for. Barring accident, this will happen. Barring bad weather or

other unforeseen problems, we will arrive at our desired destination approximately on time.

It takes a lot of input to get the promised output—arrival safely at Baltimore on time. Some of the important input comes from gasoline, oil, air, the maintenance crew, the flight crew and, somewhere down there on the ground, the people in the office and the president of the airline. Without all this input, the flight would be impossible. But even more importantly, without the input of the passengers—their need and desire to travel by air—the airline company wouldn't even exist.

It doesn't take much imagination to know what would happen if the decision makers in the airline didn't pay close attention to all the input components. Suppose they decided to use water instead of gasoline, maple syrup instead of oil and offered the passengers milk and cookies instead of the hot meal they had promised? Suppose they sold tickets to get from Denver to Baltimore but the passengers never knew where they would land or suppose they said it would take 2 hours to get to your destination, but most of the time it took 9 hours? Then, to top it off, what would happen if the airline didn't listen to passenger complaints about the poor service? It wouldn't take the passengers very long to decide to travel by some other means. If there were no other means to get where they wanted to go, the passengers would find a way, no matter what it took, to change the airlines' way of living.

In recent years the requirement for consumer input has increasingly been written into legislation—vocational rehabilitation, vending operations, Title XX, Section 504, the National Institute of Handicapped Research, etc. but, in services to the blind and physically handicapped persons, all too often the relationship between input and

output seems to have escaped the attention of the agency decision makers. Down through the years, like many of you, I have been a member of national consumer committees, advisory committees and task forces. Like many of you, I have written position papers and testified at consumer input hearings. Over the last 18 months I have been involved in 27 workshops regarding Section 504 and I have just finished a series of meetings across the country, talking with handicapped persons concerning the implementation of Section 504 of the Rehabilitation Act of 1973.

The story is the same everywhere. Obtaining consumer input has become fashionable because it is required in more and more legislation. Many agencies, who know the legislation, now say, "Oh yes, we really want consumer input." It has become a kind of ritual dance. The "grass roots" are now important and the "grass roots" are dancing like crazy. But, too many times it's just a ritual dance put on by the agencies for the benefit of the federal funding source because the law says there is to be consumer input.

Take the Regulations of Section 504 of the Rehabilitation Act of 1973 as an example. They say that all agencies receiving federal financial assistance from what used to be the Dept. of Health, Education and Welfare must conduct a self-evaluation to identify areas of discrimination on the basis of handicap. Sub-section 84.6 of these regulations says that the self-evaluation is to involve handicapped persons or representatives of organizations of handicapped persons. It says further that necessary modifications to come into compliance will be made after consultation with handicapped persons or representatives of organizations of handicapped persons. Most agencies for the blind, sheltered workshops, schools, colleges, hospitals, libraries, museums,

day-care centers, family service agencies, etc. come under this mandate. The self-evaluation was to have been completed by June 2, 1978. But, the fact is that most of them haven't even started the self-evaluation yet. It is also a fact that there are very few on-going relationships between agencies coming under 504 and organizations of handicapped persons. How many chapters of the NFB have received requests to participate in the self-evaluation process of agencies in their community—including agencies for the blind? You can be sure, not very many.

Where handicapped persons are being involved in the self-evaluation process, more times than not the agency selects one of its handicapped employees to participate. There are a couple of things wrong with this approach. First, the director of the agency knows very well that there are not many handicapped employees who are willing to lay their job on the line by telling it like it is. Second, what does the individual know about the problems encountered by persons with other disabilities? What does the average person in a wheelchair know about the problems faced by a person who is blind, or vice versa?

Where agencies do involve handicapped persons in the self-evaluation process, but don't use employees, most of the time they call in one or more handicapped persons that they know in the community. The evidence is clear. For the most part they call in people who won't disagree with what they want to do. They call in "friendly" individuals rather than a cross-section of persons with various disabilities who represent organizations of handicapped individuals. Thus they are complying with the letter of the law—which isn't all that often to begin with—while ignoring the spirit of the law.

Examples of the "input ritual dance" are legion. There is the story of the woman in

the Midwest who was called by an agency to assist in the self-evaluation. She told them that her work schedule would not permit her to participate. When the agency completed its self-evaluation she discovered that her name was listed as one of the handicapped persons who had been involved. There are the Title XX consumer public hearings in Pennsylvania which were held *after* the state plan for that year had already been written and submitted. There is the director of the Research and Training Center funded by the National Institute of Handicapped Research, who publicly criticizes the consumers for whom the center was established. There is the chairman of the Board of a private agency for the blind in the Southwest who refers our questions to the Executive Director of the agency, while the Executive Director fails to respond to any letters from us. There's the Chairman of the Board of a private agency for the blind in the East who said, "I've had it up to here with the \_\_\_\_\_ blind." Then, there is the Minneapolis Society for the Blind. Then there is NAC. We could go on, and on, and on.

But, what do we do about it? Should we drop out, quit, say, "That's the way things are" and forget it? Not at all—that's not the way to go. We all know that the problems confronting persons who are blind do not come from blindness itself, but rather from social attitudes toward blindness and people who are blind. Lack of confidence in our abilities, our intelligence, our very integrity—these are the problems. Too many of the decision makers in agencies serving the blind have these attitudes. Therefore, on the one hand they have to receive our input because of the law, but, on the other hand they reject our input because of their attitudes. This is the "input ritual dance" and there is no output. They would like us to give up and go away. Then they could say

that they would just love to have our input but we are not interested.

As we near the top of the stairs and approach first-class citizenship, we must redouble our efforts, expand our input, increase our participation, insist on being heard and having input that results in output. There are many areas in which we need to act, but Section 504 of the Rehabilitation Act is a good place to start. We should study the Regulations so that we know what our rights are and what the agencies are mandated to do. Agencies with 15 or more employees, coming under 504, are required to keep their self-evaluation on file for public inspection for three years. We should ask to inspect these records. If they are not in compliance, we should file complaints with the Office for Civil Rights and pursue the complaints. If they have not completed their self-evaluation, and most of them haven't, we should insist on being involved in the process. We need to follow through to make sure that our input is

heard and acted upon. We need to get on all possible consumer committees, advisory councils and boards of directors, attend the meetings and be heard. If we are not heard, we should complain—complain to the agency, the media, city council, state and federal legislators and state and federal government officials.

It's a long, serious, sometimes discouraging process. But no one ever said it was going to be easy. We can create change if we go at it and stay with it. But it won't happen unless we make it happen. We are the passengers. We have the right to reach our destination. When federal funds are used, and this is in most agencies, the agency has an obligation to deliver the services we need. We know best what we need. We have it within our power to see to it that our needs are met. By acting decisively and persistently we can reach our destination and eliminate the late departures, re-routed flights and one way tickets to nowhere that happen when input has no output.

## JOANNE WALKER FIGHTS BACK

by JAMES GASHEL

Discrimination against blind people who seek to work as teachers in the public schools of our country is not uncommon, nor is it uncommon for the National Federation of the Blind to lead the battle against such treatment when it arises. Our history is full of successful struggles to win equal rights for blind teachers. One need only cite cases such as *Weckerly v. Mona Shores Board of Education*, *Gurmankin v. Costanzo* and *Schuman v. The Oak Hill School*, to find the significance of our contribution toward combating discriminatory treatment of blind teachers.

In his Presidential Report at the 1980

Convention, Dr. Jernigan announced that we have set to work on yet another situation which involves discrimination against a blind teacher—this one on behalf of JoAnne Walker, a competent and certified teacher of emotionally disturbed pupils in the West Bend, Wisconsin Joint School District. JoAnne was present throughout the entire 1980 Convention in Minneapolis, and she is becoming an active Federationist in Wisconsin. Originally she learned of the Federation by reading some of our literature, which had been placed in her college library; and now, she has come to be one of us in the movement.

Programs which receive Federal financial assistance (such as the public school system in West Bend, Wisconsin) are prohibited from discriminating against qualified handicapped individuals by Section 504 of the Rehabilitation Act of 1973, as amended. Any recipient of Federal assistance found in violation of Section 504 may be subject to termination of the Federal funds if the violation is not corrected. Qualified handicapped individuals who have complaints of discrimination are entitled to have grievances investigated by the Civil Rights Office of the Federal agency from which the recipient organization or institution receives Federal assistance. In cases involving discrimination against blind teachers, the Federal agency responsible is the Education Department, and the unit within that Department which monitors problems involving discrimination is the Office for Civil Rights.

In June, 1980, the National Federation of the Blind initiated Federal action on behalf of JoAnne Walker, charging the West Bend, Wisconsin Joint School District with discrimination against Mrs. Walker on the basis of her blindness. These charges, in the form of a complaint filed with the Chicago Regional Office of the Education Department's Office for Civil Rights, are now under investigation. Meanwhile, a local attorney has also been secured to work on various aspects of the case.

Reprinted below is an article which appeared in the *West Bend News* of Wednesday, September 10, 1980. This is only the first (but the most detailed) in a series of news stories which appeared in various local news media (including the *Milwaukee Journal*) during late September and early October. Indeed, the name of JoAnne Walker (the blind teacher in West Bend) became a household word.

This is far different from the situation

which JoAnne faced last spring before she contacted us for help. Then, she was alone and seemed quite defeated—so defeated that she found it necessary to take a leave from work during the last three months of the school year. Now, with the force of the organized blind behind her, JoAnne Walker is back in her classroom, doing the job she was trained to do, and doing it well, despite the continuation of discriminatory treatment by school administrators.

The civil rights investigation will take its natural course, and if necessary, court action will be initiated. As indicated by the article, JoAnne Walker faces a fairly common but particularly difficult form of discrimination against the blind—first the employer begins by subjecting the blind employee to more rigorous scrutiny and supervision than others, feeling uncertain about the blind person's capacity. Inevitably, this increased monitoring of the blind employee reveals areas which the employer would like to have corrected. Never mind the fact that the employer is unaware of the same deficiencies (or others) in the performance of non-blind employees. Yet when challenged, the employer does not regard this extra supervision as discriminatory—for, "After all," he may say, "We are just trying to help."

Of course, it would be wrong for anyone to argue that a blind person should be allowed to work at a less than normally required standard of performance; but it is equally wrong for employers to set higher standards of excellence for blind employees if non-blind employees are not expected to meet these standards as well. This is at the heart of the dispute in the JoAnne Walker case, and thus some very challenging and universal issues are presented. It is especially promising that the facts of different and detrimental treatment of JoAnne Walker can be easily established. It is also a plus

that the local teachers' union (the West Bend Education Association) is joining in Mrs. Walker's defense, arguing that the school district is violating the contract under which the teachers work. Here, then, is

the article. Few of us would want to trade places with JoAnne Walker, but at least we have sense enough to join with her, and together we are determined to fight back:

### BLIND TEACHER FILES SUIT AGAINST WB SCHOOLS

by GARY ACHTERBERG

News Staff Writer

(From the *West Bend News*, September 10, 1980)

**WEST BEND**—A legally blind teacher at Silverbrook Middle School has filed a complaint with the federal government against the West Bend School District charging she was discriminated against because of her handicap.

JoAnne Walker, a special education teacher at Silverbrook, filed the complaint with the U.S. Department of Education (DOE) June 17. Walker was assisted in her action by the National Federation of the Blind in Baltimore, Md.

School Superintendent Dwain Ehrlich said Monday he was not aware such a complaint had been filed. He would not comment further.

However, James Paras of the DOE's Chicago office, where the complaint was filed, said it was standard policy to notify individuals within 15 days of a complaint lodged against them.

The 20-page complaint charges and attempts to document several violations of the federal code including:

- The alleged use of more intensive screening procedures by the school district when hiring Walker than those commonly used at the time (the 1978-79 school year).

- The district's use of allegedly discriminatory "criteria and methods of administration" in supervising Walker.

- Ehrlich's placement of Walker on probationary status during the 1980-81 school year. "This is a form of warning and dis-

cipline which is unwarranted given Walker's exemplary performance . . . Under the circumstances, placing Walker on 'probationary status' is a violation . . . , " the complaint says.

The charge of discriminatory use of "criteria and methods of administration" by the district is substantiated in the complaint by five "specific examples:"

- Reports of performance evaluations made of Walker "were not prepared and filed in writing as required by district policy," the complaint says.

In addition to the charge that materials were not prepared and filed in writing, Dennis Eisenberg, executive director of the Cedar Lake United Educators, the bargaining unit for the West Bend Education Association (WBEA), told The News he complained to Ehrlich after determining that "there were materials omitted from (Walker's personnel) file that were previously in the file."

Those materials were later located in another file, Eisenberg said.

"We don't think the district has a right to take things in and out as they please," he said. "They are required to notify the teacher."

- The second example states that Kaye Kamradt, assistant director of special education for the district, required Walker to prepare and have on file detailed lesson plans for each student assigned to her class-

room. This requirement is not imposed on non-handicapped teachers of emotionally disturbed pupils, according to the complaint.

•Kamradt, John Taylor, assistant principal at Silverbrook, and Richard Daggett, principal at Silverbrook, "established a pattern of 'observing' or 'evaluating' Walker more frequently than is done with respect to other special education teachers who do not have handicaps," the complaint says.

"During the 1979-80 school year . . . Walker was observed and evaluated at least 10 times" by Kamradt, Taylor and Daggett, the complaint says. It also said the three observed her at least six times during the prior school year.

"During each school year Walker was observed numerous times which are not documented, in contravention of district policy and administrative practice," the complaint adds.

The current contract between the school district and its teachers' union says "all professional staff will be evaluated by an appropriate administrator a minimum of once per school year . . . the evaluation will include a minimum of one classroom observation of 20 minutes' or more duration."

•District officials have also expected Walker to meet a higher standard of accuracy and excellence in the preparation of Individualized Education Programs (IEPs) than has been required of non-handicapped teachers, according to the complaint.

IEPs are similar to long range lesson plans and detail annual expectations for a child in a special education program.

•District officials have permitted and/or encouraged supervision of certain aspects of Walker's work by a staff member whose position does not involve supervisory responsibility. A series of seven memoranda to Walker from Amy Gavin, home/school

coordinator for district special education programs, "indicate the extent (Gavin) has been allowed to become involved in matters related to Walker's supervision," the complaint says.

Teachers who do not have handicaps are not supervised to any degree whatsoever by non-supervisory staff members, according to the complaint.

Investigative plans of the DOE are currently under the review of staff attorneys, according to Paras. He added that an investigator, Geraldine Murphy, has been assigned to the case.

Depending on the recommendation of the DOE legal staff, DOE's Paras said the next probable step would be an on-site visit to the West Bend School District to gather more information than was submitted in the complaint.

The DOE has 105 days from the June 17 filing date to complete its investigation of Walker's complaint. It then has another 90 days to negotiate a settlement with the district.

If the DOE investigation concludes there have been federal code violations, it will order the school district to comply with the law.

If the district does not comply with a DOE order, it faces a cutoff of all federal assistance.

Walker's run-ins with the district cut much deeper and go back much farther than her recently filed federal complaint.

Three separate grievances have been filed against the school district by the WBEA in Walker's behalf, Eisenberg said.

The grievances concern the preparation of IEPs, no notification of the procedures and criteria used in performance evaluations, and the previously mentioned dispute over the removal of materials from Walker's personnel file without her knowledge, according to Eisenberg.

Eisenberg termed Walker's grievances "the most complex consideration of facts that the district and association (WBEA) have had between them.

"What we get at is the professional integrity and competency of all of the individuals involved," he added. "I don't think there will be any winners coming out of the process, because it's designed to find fault with someone."

Walker's physician said a stress condition she has was aggravated by what she called "a constant form of harassment." The numerous memos (with copies sent to three superiors), written by Gavin, were a primary cause, Walker said.

She said her former attorney, John Bernoski of Menomonee Falls, told her to inform Gavin the memos were affecting her condition. Walker said she spoke to Gavin about the problem.

Several days later, Walker said, "I got four more (memos from Gavin) in one day."

Bernoski then wrote a letter to Gavin and told her to stop, she said.

Walker left her special education classroom at Silverbrook Feb. 14 because of headaches and stomach pains she contends are related to stressful working conditions.

She filed a request with the district for a medical leave of absence as a result of the ailment. Under the terms of a medical leave of absence a teacher may collect full salary for any time missed, up to the number of accumulated sick days.

The request was denied by the School Board this week because the teacher contract states the leave may only be granted for non-occupational disabilities.

Walker remains employed under a probationary contract and is not being paid.

A claim has also been filed with the state Department of Industry, Labor and Human Rights for workmen's compensation bene-

fits, according to background information supplied to School Board members by Ehrlich last week.

Walker said that claim has not yet been resolved and is being handled by the law firm of Patrick and Hurt, in which Bernoski used to be a partner.

Bernoski recently accepted a position as an administrative law judge with the Social Security Administration, according to Michael Hurt, a partner in the firm.

Filing a civil law suit against either Gavin, the school district or both for the alleged harassment that has occurred is also a future possibility, Walker said.

Walker said she knows she's a good teacher, despite the alleged harassment, in part because of a letter of support several members of the Silverbrook staff circulated among their colleagues.

The letter, with the signatures of 29 teachers, is included as an exhibit in her complaint to the DOE.

"Since JoAnne has come to this building, we have been aware of a sharp improvement in the ED (Emotionally Disturbed) program here in ways that have come to our attention as classroom teachers," they wrote.

"House teachers have noticed a big improvement in many young people who have been in JoAnne's classes . . . we have seen marked social, emotional and academic growth," they said.

"In an area such as the ED department, where success is often judged by small steps, Mrs. Walker has done extremely well," they added. "We firmly believe that she deserves the support, recognition and confidence of her colleagues as well as her supervisors. Both the students and staff will benefit."

Walker said she's very anxious to get the entire matter resolved and get back into the

classroom where she can help the children she was hired to teach.

She says the evaluations and her attempts to comply with the concerns of her supervisors have been a frustrating experience.

"They're expecting me to teach as a sighted person when I'm not," she said.

"When you see me teach, you may not understand why I'm doing a particular thing," Walker added. "You should look at the outcome rather than the procedure."

## CHANGES IN DISABILITY INSURANCE MADE BY THE 96th CONGRESS

by JAMES GASHEL

In June, 1980, President Carter signed into law an act which makes several changes in the Social Security Disability Insurance (SSDI) Program. This new law, which may be cited as Public Law 96-265, is generally regarded as a reform measure, designed to reduce the cost of Disability Insurance by means of benefit limitations for new beneficiaries, while extending to those now on the roles some new incentives to seek employment, with the objective of encouraging greater efforts at productive work and self-support. This reform of the SSDI law was motivated primarily by a desire to trim back the program to meet criticisms that it was becoming overly generous. The reform was a victory for the critics, but even at that, there are some new provisions in the law which will be of help; in short, the results are mixed.

The direct cost saving (or benefit limitation) features of the law do not affect beneficiaries who were receiving SSDI checks before July, 1980—no one on the roles at the end of June will be cut in terms of the amount of monthly benefits. Only those who started getting checks in July (or those who become eligible at any later time) will be affected to the extent that some of these people will have lower monthly checks than they would have had if the law had not been changed or if their eligibility for the

benefits had begun prior to July, 1980. Individual circumstances will determine how much of a difference there will be for each new beneficiary, but it is fair to say that some will get substantially less than they would have received in SSDI benefits prior to July, 1980.

Here is a run-down of the benefits limitation provisions which have now become law:

- (1) Limitation on family benefits: Under the old law, some disabled workers with families received Disability payments as high or higher than their average earnings before becoming disabled. The new law limits total family benefits (those paid to the disabled worker and dependents) to 85% of the disabled worker's average earnings before becoming disabled or to 150% of the monthly disability benefit paid to the disabled worker, whichever of these two amounts is lower. Under the new law, there will be no effect on the payment to an individual disabled worker, only the dependent's checks may be reduced.
- (2) Changes in the exclusion of certain years of low or no earnings: To arrive at the amount payable to any individual applicant for Social Security Benefits

(including SSDI beneficiaries) the calculation is done on the basis of average lifetime earnings, with the exception that under the old law five years of low or no earnings could be excluded. This is an advantage for most people, since including the early years of work (when earnings are normally at their lowest) could substantially reduce the overall, lifetime average.

Under the new law, the number of years which can be excluded from the calculation of average earnings will depend on an applicant's age at the time of eligibility for SSDI benefits. The new system works like this:

Applicant's age—under 27; number of excluded years—0.

Applicant's age—27-31; number of excluded years—1.

Applicant's age—32-36; number of excluded years—2.

Applicant's age—37-41; number of excluded years—3.

Applicant's age—42-46; number of excluded years—4.

Applicant's age—47 and over; number of excluded years—5.

Moreover, beginning July, 1981, a disabled worker under age 37 can have an additional year excluded for each year he or she had no earnings and had a child under three living in the same household. In no case, however, can a person who is under age 37 have more than three years excluded from his or her earnings record.

The combined effect of these two changes will mean an overall reduction in the total amount paid from the Social Security Trust Funds to SSDI beneficiaries and their dependents. While it is not possible to make a general statement as to the effect on any single new beneficiary and his or her

family members, it has been estimated that some people will receive anywhere from 15% to 30% less in SSDI benefits than they would have been paid if this law had not been passed. Younger disabled workers with large families will be particularly hard hit by the limitations. When you consider that the average SSDI payment to a disabled worker and dependents is \$728 per month until the next cost-of-living increase in July, 1981, and when you consider that the new law will mean that many future beneficiaries and their dependents will receive even less than this amount, it is hard to accept these changes as anything but punitive in nature.

On the plus side, there are a few modifications which will make attempts at work and self-support more attractive. Generally speaking, these changes are relatively minor since they back away from dealing directly with the problem that earnings are seriously restricted if eligibility for SSDI benefits is to be maintained. The current earnings limit—referred to in Social Security terms as the "substantial gainful activity (SGA) test"—for blind persons is \$417 per month during 1980 going to \$459 per month during 1981. Beneficiaries who exceed these amounts in their monthly earnings will lose entitlement to SSDI checks after having worked a trial work period. The amount of monthly earnings permitted for disabled persons who are not blind is \$300, during 1980.

Most of the provisions of Public Law 96-265 which relate to work incentives take effect in December, 1980, and apply to all persons receiving SSDI benefits, regardless of the time when eligibility began. Here is a run-down of the changes:

- (1) Automatic reentitlement to benefits:  
Under the old law most SSDI beneficiaries (except some who are blind and

over age 55) were subject to termination after 12 months of work, during which they demonstrated an ability to perform substantial gainful activity. Reentitlement could be achieved only by a new application, including a new determination that the individual was again disabled.

The new law includes a feature which allows an SSDI beneficiary to become automatically reentitled to monthly checks during a one year period following the first year of work. In other words, for one year after the normal termination point an SSDI beneficiary who works will find it much easier to reclaim SSDI benefits if the attempt at work should fail for whatever reason. It must be pointed out that SSDI checks will still normally be terminated after the first 12 months of substantial gainful work. The change is that reentitlement can occur without new application at anytime during the second year of work if the work ceases entirely or becomes less than what is considered substantial.

- (2) Continuation of Medicare eligibility: Under the old law, Medicare coverage for SSDI beneficiaries ceases upon the termination of monthly cash disability insurance benefits. The new law extends Medicare coverage for three years beyond the termination of cash benefits, if the reason for the termination was a beneficiary's return to work. During this three year period, Medicare coverage is extended regardless of earnings. Of course, this will be of great advantage to persons who return to work but may not be covered under an adequate medical insurance plan.
- (3) Reentitlement to Medicare: Under the old law, SSDI beneficiaries were not entitled to Medicare coverage until

24 months of entitlement to cash disability benefits had elapsed. This two-year waiting period for Medicare coverage was imposed each time a period of entitlement to cash Disability Insurance Benefits began.

The new law retains the first 24 month Medicare waiting period. However, if reentitlement to SSDI checks occurs within five years after termination of original eligibility, Medicare coverage would begin immediately, provided that the full 24 month waiting period was exhausted previously. If the waiting period was not exhausted, Medicare coverage will commence after any months left over from the first waiting period have elapsed. Thus most persons who become reentitled to benefits within five years after losing them because of returning to work will have immediate, or nearly immediate, Medicare coverage. Those persons who become reentitled after five years of work during which benefits are interrupted will still face another 24 month Medicare waiting period.

- (4) Impairment related work expenses: Under the old law, the decision as to whether any work performed by an SSDI beneficiary represented substantial gainful activity was largely measured by the beneficiary's gross earnings. Generally no deductions for work expenses of any kind were allowed. The new law provides that impairment-related work expenses may be deducted even if these work expenses also apply to needs for daily living. The expenses which can be subtracted from gross earnings must be both impairment related and work related, such as the employment of a reader (and in some cases a driver) for a blind person. This can be an important deduction, for it

may mean that some persons who would not be entitled to SSDI benefits strictly on the basis of their gross earnings being too high, will now achieve entitlement as a result of subtracting the amount they spent on readers, drivers, and the like.

It must be emphasized that the impairment-related work expenses deduction for SSDI beneficiaries who work is not identical to and not to be confused with the provision in the law for blind recipients of Supplemental Security Income (SSI), which allows for a deduction from gross earnings of "ordinary work expenses." As suggested by the language, the SSI provision is much more liberal, permitting any reasonable expenses (such as Federal and State income tax withholding, FICA contributions, transportation to and from work, meals while at work, and union dues) to be deducted. Blind SSI recipients will still be entitled to the deduction of ordinary work expenses. SSDI beneficiaries (including those who are blind) are only entitled to a deduction of impairment-related work expenses, and it will be important to remember this distinction.

These four work incentive provisions are

the more significant ones which relate to the concerns of blind SSDI beneficiaries or applicants. The new law also makes several changes with respect to the administration of both the SSDI and SSI programs. As with many laws, it is hard to generalize as to the balance of good and bad, but it is clear that these 1980 Social Security Amendments offer some of both extremes. The work incentive provisions will undoubtedly be helpful, but at the same time they fail to address the real problem imposed by the limitation on earnings contained in the substantial gainful activity test. Thus, our longstanding campaign to remove this limitation on earnings must and will continue. Moreover, the change made in reducing the Medicare waiting period must be seen as a plus, along with extending Medicare eligibility for three years after the termination of cash benefits. These features will be helpful, but they must also be set along side the substantial reduction in benefits which will adversely affect persons now becoming eligible for SSDI checks. In short, Public Law 96-265 brings us a series of mixed blessings; only time and diligent monitoring of the situation will allow us to make a better assessment of the final result.

## RECIPE OF THE MONTH

from JENNIFER and LARA GERSTENBERGER

### GRANDMA G'S WHOOPIE PIES

(Her Specialty!)

This cookie pie is made of 2 soft chocolate cookies with a creamy icing in the center.

**Batter:**    1 C Sugar  
             ½ C Butter or Margarine  
             2 Egg Yolks (save the whites)  
             1 tsp. Vanilla  
             1 tsp. Soda  
             ½ tsp. Salt  
             5 T Cocoa  
             2 C Flour  
             1 C Milk

Cream sugar and butter or margarine. Add egg yolks and beat well. Add vanilla. Next, sift all dry ingredients together and add to creamed mixture alternately with milk. Bake in 350 degree oven on greased baking sheet for 7-10 minutes. Remove from baking sheet and cool. Choose 2 cookies of similar shape or size and frost bottom of one cookie with icing. Using second cookie, form pie by pressing two cookies together.

**Icing:**      ½ C Soft Margarine  
             2 C Powdered Sugar  
             2 Egg whites  
             1 tsp. Vanilla

Beat egg whites until frothy. Gradually add one cup of the powdered sugar while mixing. Add margarine and vanilla. Then add remaining cup of powdered sugar.

### MONITOR MINIATURES □ □ □ □ □

□ Rebecca Elizabeth Machalow made her appearance in the world Saturday, October 11, 1980; and Steve and Trish, her proud parents, announce that all are doing well. This is, indeed, the year of the baby in the Federation.

□ We are pleased to announce that Jim Omvig has received a promotion to a key post at the Social Security Administration. He is now the Handicapped Employment Program Manager, Office of Civil Rights Programs, Office of Civil Rights and Equal Opportunity for the Social Security Administration.

□ Lou Rives, the former President of NAC, has resigned as head of the Arkansas Rehabilitation Agency for the Blind. November 14, 1980, (the last day on the job in Arkansas for Mr. Rives) will long be remembered with gratitude by the blind of the state and the nation. November, of course, is the month in which Thanksgiving day occurs. It came early this year.

□ George Hudson, the Director of Rehabilitation for the state of Alabama until 1978, has been no friend of the blind. His agency has been NAC-accredited, and he has been one of the loudest voices in condemning our movement as "unethical" and "unprofessional." Mr. Hudson has now been convicted of the crime of extortion for acts committed during his tenure as Director of Rehabilitation. He has been sentenced to three years in the federal penitentiary, but it is reported that he will have to serve only five months—assuming, one supposes, good behavior and "ethical conduct."

□ Jesse Rosten, the Director of the Minneapolis Society for the Blind for the past several years, has been among the foremost critics of the organized blind movement. This summer in Minneapolis we visited Mr. Rosten at the Society and publicly demonstrated in our thousands to let the world know how the blind felt about him and the way he was operating his agency. After the convention, as Federationists know, the courts ordered the Minneapolis Society to turn over to us copies of the proxie votes which it claimed it got during last year's

contested election for positions on the Society's Board. Since that time, events have moved rapidly. Mr. Rosten has now been fired. At first it was said that he had "resigned," but even the Minneapolis Society couldn't continue to tell that one with a straight face. Mr. Rosten is reportedly seeking a job in the Minneapolis area in some other field than work with the blind. The speculation as to why he was fired runs along two lines: 1) During the past year the Society has run up a deficit of several hundred thousand dollars. Of course, the deficit would have been reduced by at least \$150,000 if they had not spent such huge sums to try to win the contested board election. 2) In view of the court order to produce the proxies, some feel that perhaps the proxies don't exist and that Dick Johnstone and his faction on the Society's board are hunting a scapegoat—and they found him in the person of Jesse Rosten. Justice does seem to have a way of prevailing.

□ As of this writing, 50 blind persons have obtained employment which can be directly traceable to the efforts of our JOB (Job Opportunities for the Blind). JOB is proving to be one of the most exciting and productive projects we have ever undertaken. It allows us to do what state rehabilitation agencies cannot do—cross state lines and go anywhere in the country to match blind applicants with job openings. JOB is jointly sponsored by the National Federation of the Blind and the United States Department of Labor. For further information, call toll-free 1-800-638-7518.





